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HON. ROBERT E. LEE

WRITER'S NUMBER
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RECEIVED

BEFORE THE

Federal Communications Commission

WASHINGTON, D.C. 20554

RECEIVED**JUL 23 1993**

In re Application of

RICHARD BOTT II
(Assignor)

and

WESTERN COMMUNICATIONS, INC.
(Assignee)For Assignment of Construction)
Permit of Station KCVI(FM),
Blackfoot, Idaho

MM Docket 93-155

File No. BAPH-920917GO

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

To: Administrative Law Judge Arthur I. Steinberg

PETITION FOR LEAVE TO AMEND

Richard P. Bott, II ("Bott"), by his counsel, hereby petitions, pursuant to Section 73.3522(b) of the Commission's rules, for leave to amend his above-captioned pending application in accordance with the attached amendment.¹

The amendment is required pursuant to Section 1.65 of the Commission's rules. It covers two subjects: a recent change of Bott's address, and a correction of the expense figures submitted by Bott as required by Section 73.3597(c)(3)(ii).

Section 1.65 states that an applicant is responsible for the continuing accuracy of information contained in a pending application. Bott's submission of the within amendment is consistent with that responsibility.

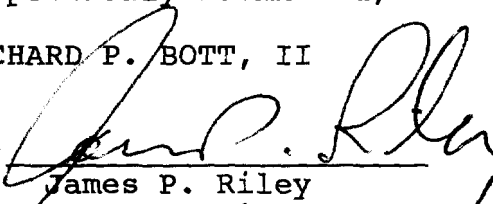
¹ The original signed amendment is being filed with the Secretary's office concurrently with the filing of this petition.

WHEREFORE, it is requested that the within amendment be accepted.

Respectfully submitted,

RICHARD P. BOTT, II

By:



James P. Riley
Kathleen Victory

His Attorneys

FLETCHER, HEALD & HILDRETH
1300 North 17th Street, 11th Flr
Rosslyn, VA 22209
(703) 812-0400

July 23, 1993

AMENDMENT

Please amend my pending application for assignment of the permit for KCVI as follows:

1. Change my address and telephone number in Section I, Part I, effective July 2, 1993, to:

Richard P. Bott, II
11974 Connell
Overland Park, KS 66213
(913) 681-0211

2. Revise my costs, as shown in the amendment filed October 14, 1992, pursuant to Section 73.3597(c), in the following respects:

(A) Add the attached correspondence to me from Richard L. Biby, Donald L. Markley and Ron Grandmaison. Consistent with that correspondence, reduce the engineering costs paid to Mr. Grandmaison to \$947.00, a reduction of \$1,042.00.

(B) Eliminate the costs paid to Tabcon, a reduction of \$1,739.00. I had believed that all five listed engineering firms performed work on the Blackfoot project, but in recently re-examining the engineering services for the project, I could not confirm that work was done by Tabcon. I am therefore eliminating the payments to Tabcon from my listing of Blackfoot costs.

(C) As a result of the reductions in (A), and (B), the total engineering expenses are now \$8,832.71, and the total expenses overall are \$91,582.40, rather than \$94,363.40.

Respectfully submitted,


Richard P. Bott, II

Signed and dated
this 16th day of July, 1993.

RICHARD L. BIBY
COMMUNICATIONS ENGINEERING SERVICES, P. C.
6105-G ARLINGTON BLVD.
FALLS CHURCH, VA 22044
(703) 534-7880
TELEFAX (703) 534-7884

July 9, 1993

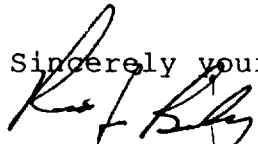
Richard P. Bott, II
11974 Connell
Overland Park, KS 66213

Dear Mr. Bott:

This will confirm that in late 1987 my firm prepared a "Joint Engineering Study" evaluating the coverage of two pending broadcast applications to serve Blackfoot, ID. The total fee for our services was \$2,500, split equally between you and Clare M. Ferguson. We received your portion of the payment (\$1250.00) in full.

Should you have any questions, please let us know.

Sincerely yours,

A handwritten signature in dark ink, appearing to read 'R. L. Biby', is written over the typed name.

Richard L. Biby, P.E.

D.L. Markley & Associates, Inc.

Consulting Engineers
2104 WEST MOSS
PEORIA, ILLINOIS 61604

MEMBER: AFCCE

July 8, 1993

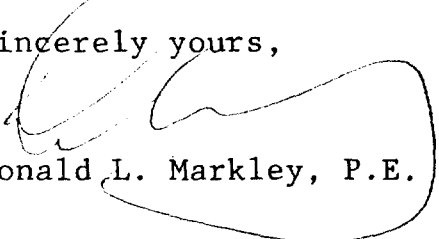
AREA CODE 309
TELEPHONE 673-7511
FAX (309) 673-8128

Mr. Richard Bott II
11974 Connell
Overland Park, Kansas 66213

Dear Rich:

With regard to your construction permit at Blackfoot, Idaho, this will confirm that our firm performed a study of non-ionizing radiation for that project. For that study, the total bill was \$62.50 which has been paid by you in full.

Sincerely yours,



Donald L. Markley, P.E.

DLM:sd

July 15, 1993

Richard Bott, II
11974 Connell
Overland park, Kansas 66213

Dear Rich:

As you requested, I have examined my records concerning charges to you for consulting engineering services, for which you made payment in 1985. My records show that of the total of \$1989 billed to and paid by you, \$947 was billed for services on your Blackfoot project. The balance was with respect to your Central Valley project.

Sincerely,

A handwritten signature in dark ink, appearing to read "R. J. Grandmaison". The signature is fluid and cursive, with the first name "R." and last name "Grandmaison" clearly distinguishable.

Ronald J. Grandmaison
11213 Split Rail Lane
Fairfax Station, VA 22039

CERTIFICATE OF SERVICE

I, Barbara Lyle, a secretary in the law firm of Fletcher, Heald & Hildreth, do hereby certify that a true copy of the following "Petition for Leave to Amend" was sent this 23d day of July, 1993, first-class United States mail, postage prepaid, to the following:

Honorable Arthur I. Steinberg*
Administrative Law Judge
Federal Communications Commission
Room 228
2000 L Street, N.W.
Washington, D.C. 20554

Norman Goldstein, Esquire*
Paulette Lade, Esquire
Hearing Branch, Mass Media Bureau
Federal Communications Commission
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1255 23rd Street, N.W.
Washington, D.C. 20037-1170
Counsel for Western Communications, Inc.

Lester W. Spillane, Esquire
Suite 208
1040 Main Street
Napa, CA 94559
Counsel for Western Communications, Inc.


Barbara Lyle

*Hand-Delivery